

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

ERVIN E. FOX,

Plaintiff,

v.

4:09-cv-150

RECORD MANAGER OF THE
GEORGIA DEPARTMENT OF
CORRECTIONS; DIRECTOR OF
DEPARTMENT OF CORRECTIONS;
GEORGE ASINC, *Chatham County
Assistant District Attorney*, SPENCER
LAWTON, *Chatham County District
Attorney*,

Defendants.

ORDER

Before the Court is 42 U.S.C. § 1983 Prisoner-Plaintiff Ervin E. Fox's ("Fox") motion for reconsideration of this Court's Order denying reconsideration of the Court's dismissal of Fox's case. *See* Doc. 13.

"A motion for reconsideration cannot be used to relitigate old matters, raise argument or present evidence that could have been raised prior to the entry of judgment." *See Wilchombe v. TeeVee Toons, Inc.*, 555 F.3d 949, 957 (11th Cir. 2009) (internal quotation omitted). Because Fox has failed to "identify newly-discovered evidence or manifest errors of law or fact," the Court declines to again revisit the claims Fox reasserts from his complaint, *see* Doc. 1 at 6-7, "Objections to the Magistrate's Report and Recommendation," *see* Doc. 8 at 2-4, and "Motion for Reconsideration Because of

Judicial Inadvertence," *see* Doc. 11. *See Richards v. Dickens*, 2011 WL 285212, at *2 (11th Cir. Jan. 31, 2011).

Fox's only new argument is that he failed to abide by the statute of limitations because, as a *federal* prisoner, he lacks a state law library and is ignorant of Georgia law. *See* Doc. 13 at 6. This argument is meritless. Fox cited Georgia law many times during this litigation, *see* Docs. 8, 13, and, regardless, his alleged ignorance of the law is not a defense. *See Bowhall v. Johnson & Johnson, Inc.*, 2010 WL 3998963, at *1 (M.D. Ala. Oct. 12, 2010) ("Plaintiff's ignorance of law arguments do nothing to dust the cobwebs off a long dead statute of limitations clock.")

Fox's motion is ***DENIED***.

This 22nd day of February 2011.



B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA